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EXAMINER

VU, THANH T

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 06/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/499,401

Applicant(s)

NII, YUKAKO

Examiner

Thanh T Vu

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, and 12-20 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Objections*

1. Claim 9 is objected to because of following informalities: Claim 9 recites "... at least one of said first icon, said second icon and said group of icons is *preliminary* associated with said processing condition". The term "preliminarily" should be used instead of "preliminary". Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 6-9, 13, 16, 17, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Bates et al. ("Bates", U.S. Pat No. 5,777,616).
4. Per claim 1, Bates teaches an information processing apparatus comprising:  
a pointing device; a display unit displaying a plurality of icons; a detection unit detecting a predetermined operation performed on a first icon which has been dragged to a second icon, said first icon displayed on said display unit and moved with movement of said pointing device; and a condition update unit updating a processing condition in information processing based on the detection by said detection unit (Figs. 4B and 4C; *icons: 114, 150, 160*; Col. 7, lines 23-25).
5. Per claim 2, Bates teaches the information processing apparatus according to claim 1,

wherein said detection unit detects movement of said first icon in a predetermined direction in the vicinity of said second icon while said first icon is being dragged (Col. 7, lines 42-46; Col. 8 lines 4-6).

6. Per claim 6, Bates teaches the information processing apparatus according to claim 1, wherein said display unit displays a processing condition associated with said second icon in the vicinity of said second icon (Fig 4B; Col. 7, lines 47-49).

7. Per claim 7, Bates teaches the information processing apparatus according to claim 1, further comprising a processing execution unit executing processing based on the processing condition in information processing updated by said condition update unit (Fig 6; Col. 9, lines 5-8).

8. Per claim 8, Bates teaches the information processing apparatus according to claim 1, wherein said second icon includes a group of icons associated with said processing condition (Fig 4A; Icons: 150,160).

9. Per claim 9, Bates teaches the information processing apparatus according to claim 8, wherein at least one of said first icon, said second icon and said group of icons is preliminary associated with said processing condition (Fig 6; Col.8, lines 10-13).

10. Claim 13 is similar in scope to claim 1 and therefore is rejected under similar rationale.

11. Claim 16 is similar in scope to claim 8 and therefore is rejected under similar rationale.

12. Claim 17 is similar in scope to claim 1 and therefore is rejected under similar rationale.

13. Claim 20 is similar in scope to claim 8 and therefore is rejected under similar rationale.

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 3, 5, 12, 15, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates in view of Fitzpatrick et al ("Fitzpatrick", U.S. Pat. No. 5,546,527).

16. With respect to claim 3, Bates doesn't specifically teach the information processing apparatus according to claim 1, wherein said detection unit detects stop of said first icon for a predetermined time in the vicinity of said second icon while said first icon is being dragged. However, Fitzpatrick shows a detection of an icon that is stopped in the vicinity of another icon while the first icon is being dragged (Col. 4, lines 9-14). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a detection unit as taught by Fitzpatrick into Bates' in order to detect a hovering action of an icon over another icon.

17. Per claim 5, Bates doesn't specifically teach the information processing apparatus according to claim 1, wherein said display unit changes a display form of said second icon according to a set processing condition. Fitzpatrick teaches changing display form of an icon graphics such as by slightly enlarging the icon or by providing a flashing icon (Col. 3, lines 64-66). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the

invention to utilize Fitzpatrick's teaching to include changing display form of an icon according to a set processing condition with Bates' in order to provide users a visual clue for an icon's characteristics.

18. Claim 12 is similar in scope to claim 5, and therefore is rejected under similar rationale.

19. Claim 15 is similar in scope to claim 5, and therefore is rejected under similar rationale.

20. Claim 19 is similar in scope to claim 5, and therefore is rejected under similar rationale.

21. Claims 4, 10, 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates in view of Smith (U.S. Patent No. 5,721,853).

22. Per claim 4, Bates doesn't specifically teach the information processing apparatus according to claim 1, wherein said display unit displays said second icon as a group of icons associated with said processing condition when said detection unit detects said predetermined operation. Smith teaches said display unit displays said second icon as a group of icons associated with said processing condition when said detection unit detects said predetermined operation (Figs 1, 2, and 3B; Col. 4, lines 45-51). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to include said display unit displays said second icon as a group of icons associated with said processing condition when said detection unit detects said predetermined operation as taught by Smith into Bates'. With this modification to Bates', it would give one the advantage to save screen space by only showing the second icon as group of icons when needed.

23. Per claim 10, Bates doesn't specifically teach the information processing apparatus according to claim 8, wherein a combination of a plurality of processing conditions is set for each icon of said group of icons. Smith teaches a combination of a plurality of processing

conditions is set for each icon of said group of icons (Figs. 4, 5, and 6; Col. 6, lines 13-16).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to include Smith's teaching with Bates' in order to let users set a plurality of processing conditions for each icon in a group of icons.

24. Claim 14 is similar in scope to claim 4 and therefore is rejected under similar rationale.

25. Claim 18 is similar in scope to claim 4 and therefore is rejected under similar rationale.

#### *Allowable Subject Matter*

26. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### *Conclusion*

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McNally et al. (U.S. Pat. No. 6,259,448) disclose a method of deploying a "resource model" is a distributed computer network using a computer having graphical user interface (GUI).

Hirose (U.S. Pat. No. 5,745,112) disclose a device and method for a window responding to a drag operation.

#### *Inquiries*

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28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T Vu whose telephone number is (703)-308-9119. The examiner can normally be reached on M-F 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-746-7239 for regular communications and (703)-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Thanh Vu  
June 14, 2002

*Kristine Kincaid*  
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